

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TERRANCE DUANE MITCHELL,

Plaintiff,

v.

DOW CONSTANTINE, *et al.*,

Defendants.

Case No. C21-239-BJR

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION

Before the Court is a Report and Recommendation by the Honorable Michelle L. Peterson, United States Magistrate Judge, that recommends dismissal of this action. Plaintiff has not filed objections to the Report and Recommendation.

Having reviewed the Report and Recommendation, Plaintiff's amended complaint, and the balance of the record, the Court finds and ORDERS as follows:

- (1) The Report and Recommendation (Dkt. No. 10) is approved and adopted.
- (2) Plaintiff's amended complaint (Dkt. No. 9) and this action are DISMISSED with prejudice, under 28 U.S.C. § 1915(e)(2)(B), for failure to state a cognizable claim for relief. The Clerk shall count this dismissal as a strike under 28 U.S.C. § 1915(g).

1 (3) The Clerk is directed to send copies of this Order to Plaintiff and to Magistrate
2 Judge Peterson.

3 DATED this 13th day of September, 2021.

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6 Barbara Jacobs Rothstein
7 United States District Judge
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